



**CITY of MODESTO**

*Public Works  
Department*

May 9, 2008

*Administration*

115 Elm Street  
Modesto, CA 95354  
P.O. Box 642  
Modesto, CA 95353  
209/342-2284  
209/491-5627 Fax

Mr. Greg Vaughn, P.E.  
California Regional Water  
Quality Control Board  
Central Valley Division  
11020 Sun Center Dr., Suite 200  
Rancho Cordova, CA 95670-6114

*Water Quality  
Control Facility*

1221 Sutter Ave.  
Modesto, CA 95351

**Re: Tentative NPDES Order Comments of Waste Discharge Requirements for  
the City of Modesto, Municipal Separate Storm Sewer System, Stanislaus  
County, CAS083526**

Dear Mr. Vaughn:

*Primary  
Wastewater  
Treatment*

209/577-6300  
209/525-9311 Fax

I want to thank the Regional Board staff, specifically Robert Ditto and you for your professionalism, attentiveness to detail, and willingness to work with the City on drafting this Municipal Separate Storm Sewer System Permit. I have found the process to be fair overall. Please find enclosed the City of Modesto's comments regarding the Tentative Order.

*Wastewater  
Collections*

209/577-6200  
209/525-9311 Fax

Again, thank you for your consideration of our comments. If you need additional information or would like to schedule time to discuss the comments further, please call me at (209.577.6381).

*Environmental  
Compliance*

209/577-6377  
209/577-6290 Fax

Sincerely,

John C. Rivera  
Regulatory Compliance Supervisor

*Secondary  
Treatment*

7007 Jennings Road  
Modesto, CA 95358  
209/538-3256  
209/538-4220 Fax

cc: Gary DeJesus, Public Works Deputy Director  
Mack Walker, Larry Walker & Associates  
Gorman Lau, Larry Walker & Associates  
Robert Ditto, Regional Water Quality Control Board

*Co-Compost  
Operations*

209/538-2557  
209/537-6193 Fax

- I. Aquatic communities and populations, including vertebrate, invertebrate, and plant species, to be degraded.
  - m. Toxic pollutants to be present in the water column, sediments, or biota in concentrations that adversely affect beneficial uses; that produce detrimental responses in human, plant, animal, or aquatic life; or that bioaccumulate in aquatic resources at levels which are harmful to human health.
  - n. In waters designated for contact recreation (REC-1), the fecal coliform concentration based on a minimum of not less than five samples for any 30-day period shall not exceed a geometric mean of 200/100 MPN/100 ml, nor shall more than ten percent of the total number of samples taken during any 30-day period exceed 400/100 MPN/100 ml.
  - o. Violation of any applicable water quality standard for receiving waters adopted by the Regional Water Board or the State Board pursuant to the CWA and regulations adopted there under.
2. The discharge shall not cause or contribute to an exceedance of any applicable water quality standards. If different applicable water quality standards are adopted after the date of adoption of this Order, the Regional Water Board may revise and modify this Order as appropriate.
3. The Discharger shall comply with Discharge Prohibition A.2 and Receiving Water Limitations C.1 and C.2 through timely implementation of control measures and other actions to reduce pollutants in the discharges in accordance with the SWMP and other requirements of this Order, including any modifications. The SWMP shall be designed to achieve compliance with Receiving Water Limitations C.1 and C.2. If exceedance(s) of water quality objectives or water quality standards (collectively, WQS) persist notwithstanding implementation of the SWMP and other requirements of this Order, the Discharger shall assure compliance with Discharge Prohibition A.2 and Receiving Water Limitations C.1 and C.2 by complying with the following procedure:
  - a. The Discharger shall develop a process, identified in their SWMP for reporting discharges that cause or contribute to an exceedance of applicable water quality standards. The process shall establish a tiered notification, one for discharges that significantly exceed the normal range of runoff quality and one for discharges that are within the range of typical runoff quality. In the former case the Discharger shall notify the Regional Water Board within **48 hours** and conduct follow-up investigation to identify the possible cause of the exceedance. A report of the follow-up investigation shall be submitted to the Regional Water Board Executive Officer within **30 days** of the determination of the exceedance. For dischargers in the second tier, the Discharger shall submit a Report of



- xi. Provide regular internal training on applicable components of the SWMP; and
    - xii. Conduct an assessment as a part of the annual reporting process, determine the effectiveness of the Program Element and identify any necessary modifications.
    - xiii. Implement plan to minimize environmental damage during emergency situations.
  - b. The Discharger shall update and continue to implement a Municipal Program in its SWMP to effectively prohibit non-storm water discharges and prevent or reduce pollutants in runoff from all municipal land use areas, facilities, and activities to the MEP. At a minimum, the Municipal Program shall address the objectives listed above and include the following control measures:
    - i. Sanitary Sewer Overflow and Spill Response
    - ii. Pollution Prevention at Discharger Facilities
    - iii. Landscape and Pest Management
    - iv. Storm Drain System Maintenance (including rock wells)
    - v. Street Cleaning and Maintenance
    - vi. Parking Facilities Maintenance
    - vii. Detention Basin Maintenance
    - viii. Emergency Procedures
    - ix. Non-emergency Fire Fighting Flows
    - x. Training
    - xi. Effectiveness Assessment

**Comment [MSOffice1]:** Treatment Feasibility Study is address in permit under Special Studies.

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## 12. Illicit Discharge Detection and Elimination Program

- a. The objectives of the Illicit Discharge Detection and Elimination Program are to:
  - i. Provide adequate legal authority to control and/or prohibit pollutants from being discharged to the municipal storm drain system;
  - ii. Proactively detect illicit discharges and illegal connections through a variety of mechanisms including, but not limited to, public reporting, dry weather monitoring exceedance of action levels identified in the SWMP and field crew inspections;
  - iii. Upon identification of an illegal connection, investigate and eliminate the connection through a variety of mechanisms including, but not limited to, permitting or plugging the connection;

- v. Implement a business outreach program; and
  - vi. Conduct an assessment as a part of the annual reporting process, determine the effectiveness of the Program Element and identify any necessary modifications.
- b. The Discharger shall update and continue to implement the Public Outreach Component of its SWMP to educate the public and encourage their participation in the implementation of the SWMP. At a minimum, the Public Outreach Program shall address the objectives listed above and include the following control measures:
- i. Public Participation
  - ii. Hotline
  - iii. Public Outreach Implementation
  - iv. Public School Education
  - v. Business Outreach
  - vi. Construction Outreach
  - vii. Effectiveness Assessment
- c. The Discharger shall incorporate a mechanism for **public participation** in the implementation of the SWMP (i.e., programs that engage the public in cleaning up creeks, removal of litter in river embankments, stenciling of storm drains, etc.).

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#### PLANNING AND LAND DEVELOPMENT PROGRAM

14. The objectives of the Planning and Land Development Program are as follows:
- a. Incorporate water quality and watershed protection principles into the Discharger's policies and planning procedures;
  - b. Ensure that selected post-construction storm water controls will remain effective upon project completion by requiring a maintenance agreement and transfer or establishing a maintenance district zone for all priority development projects;
  - c. Provide a comprehensive review of development plans to ensure that storm water quality controls are properly selected to minimize storm water quality impacts;
  - d. Provide regular internal training on applicable components of the SWMP; and